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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/731,992

**Applicant(s)**

OGG ET AL.

**Examiner**

ROB WU

**Art Unit**

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2009.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 13, 19-22 and 29-33 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1-3 is/are allowed.  
6) ☒ Claim(s) 4-7, 13, 19-22 and 29-33 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date 5/05/2009  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 27 2009 has been entered.

### ***Status of Claims***

2. In response filed April 27 2009, the Applicant amended claims 1, 2, 3, 7, 13 and 29. Claims 1-7, 13, 19-22, 29-33 are pending in the current application.

### ***Response to Arguments***

3. Applicant's arguments, see page 11, filed April 27 2009, with respect to claim 1 have been fully considered and are persuasive. The 35 U.S.C. 112 first paragraph rejection of claim 1 has been withdrawn.

4. Applicant's arguments with respect to claims 4-6, 13, 19-21 and 31 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's arguments filed April 27 2009 with regards to claims 7, 22, 29, 30, 32 and 33 have been fully considered but they are not persuasive.

6. With regards to claims 7, 22, 29, 30, 32 and 33, the Applicant asserts that the method claims requires substantial precision in printing the labels, however, it is noted that the features upon which applicant relies (i.e., the substantial precision) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. While it is correct that the claim recites printing postage indicia "according to a set of postage indicia requirements." However, the limitation "according to a set of postage indicia requirements" taken by the broadest reasonable interpretation is not limited to substantial precision. Furthermore, Block discloses printing postage indicia on a postage indicia label (col 3: lines 16-17, Fig 3A) to which the Applicant submits that requires similar substantial precision. (Applicant's response, bottom of page 25) Therefore, Block teaches printing postage indicia according to a set of postage indicia requirements on a rectangular postage indicia label as recited by claims. The Reid reference is brought in to teach the limitation of the capability to print on a single sheet items in both landscape and portrait orientation. (Fig 8e), [0084], [0089] Since Block already teaches printing with substantial precision, the combination of Block and Reid would teach printing labels that are in both landscape and portrait orientation on a single sheet with substantial precision.

8. The Examiner also disagrees with the Applicant's assertion that Reid does not require a high degree of precision in formatting because there is no pre-defined perimeter. According to Reid's disclosure and Figures 8a-8e, "FIG. 8a illustrates a style

sheet for a portrait image page wherein the solid line area is the location for the image and the dotted line area is for a caption associated with the image." Therefore it is clear that Reid's invention involves a pre-defined perimeter, the area outlined by the solid line. The invention also involves a degree of precision in formatting because the image must also fit into the solid line area. If there were no precision involved, then why have a dedicated location for the image? Furthermore, the Applicant submits that Reid discloses aesthetic photographic formatting and printing (Applicant's response, top of page 27), if there were no precision in formatting, then the printed material would not be aesthetically pleasing since the printed images could be anywhere on the sheet with no conformity.

***Allowable Subject Matter***

9. Claims 1-3 are allowed over the prior art of record.
10. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is U.S. Pat No 6,010,156 to Block, U.S. Pat No 6,557,755 to Pickering, Jr. et al.

Block discloses a system for producing address and postage labels.

Pickering, Jr. et al disclose the types of barcodes used on mailpieces.

As per claims 1 and 2, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest the exact dimension and layout of the labels as recited in claims 1 and 2. Claim 3 depends upon claim 2 and have all the limitations of claim 2 and are allowable for the same reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Claim Rejections - 35 USC § 101***

11. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

12. Claims 7, 13, 19-22 and 33 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

A claimed process is eligible for patent protection under 35 U.S.C. § 101 if:

"(1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing. See Benson, 409 U.S. at 70 ('Transformation and reduction of an article 'to a different state or thing' is the clue to the patentability of a process claim that does not include particular machines.');

Diehr, 450 U.S. at 192 (holding that use of mathematical formula in process 'transforming or reducing an article to a different state or thing' constitutes patent-eligible subject matter); see also Flook, 437 U.S. at 589 n.9 ('An argument can be made [that the Supreme] Court has only recognized a process as within the statutory definition when it either was tied to a particular apparatus or operated to change materials to a 'different state or thing'');

Cochrane v. Deener, 94 U.S. 780, 788 (1876) ('A process is...an act, or a series of acts, performed upon the subject-matter to be transformed and reduced to a different state or thing.').<sup>7</sup>

A claimed process involving a fundamental principle that uses a particular machine or apparatus would not pre-empt uses of the principle that do not also use the specified machine or apparatus in the manner claimed. And a claimed process that transforms a particular article to a specified different state or thing by applying a fundamental principle would not pre-empt the use of the principle to transform any other article, to transform the same article but in a manner not covered by the claim, or to do anything other than transform the specified article." (*In re Bilski*, 88 USPQ2d 1385, 1391 (Fed. Cir. 2008))

Also noted in *Bilski* is the statement, "Process claim that recites fundamental principle, and that otherwise fails 'machine-or-transformation' test for whether such claim is drawn to patentable subject matter under 35 U.S.C. §101, is not rendered

patent eligible by mere field-of-use limitations; another corollary to machine-or-transformation test is that recitation of specific machine or particular transformation of specific article does not transform unpatentable principle into patentable process if recited machine or transformation constitutes mere 'insignificant post-solution activity.'"

(*In re Bilski*, 88 USPQ2d 1385, 1385 (Fed. Cir. 2008)) Examples of insignificant post-solution activity include data gathering and outputting. Furthermore, the machine or transformation must impose meaningful limits on the scope of the method claims in order to pass the machine-or-transformation test. Please refer to the USPTO's "Guidance for Examining Process Claims in view of *In re Bilski*" memorandum dated January 7, 2009,

[http://www.uspto.gov/web/offices/pac/dapp/opla/documents/bilski\\_guidance\\_memo.pdf](http://www.uspto.gov/web/offices/pac/dapp/opla/documents/bilski_guidance_memo.pdf) .

It is also noted that the mere recitation of a machine in the preamble in a manner such that the machine fails to patentably limit the scope of the claim does not make the claim statutory under 35 U.S.C. § 101, as seen in the Board of Patent Appeals Informative Opinion *Ex parte Langemyr et al.* (Appeal 2008-1495), <http://www.uspto.gov/web/offices/dcom/bpai/its/fd081495.pdf> .

Claims 7, 13, 19-22 and 33 are not tied to a particular machine or apparatus nor do they transform a particular article into a different state or thing, thereby failing the machine-or-transformation test. While claims 7, 13, 19-22 and 33 recite "directing a computer postage system to print" there is no positive recitation of the method steps actually being conducted after being merely directed. The relevant Merriam Webster Dictionary definition of "direct" is "to request or instruct with authority", however merely

being directed does not mean that the action is or will positively be performed, therefore, claims 7, 13, 19-22 and 33 are non-statutory under § 101.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 4-6, 13, 19-21 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block in view of U.S. Pub No. 2005/0195214 to Reid et al.

**Referring to claim 4:**

Block discloses printing a first and second label with postage indicia and barcodes (fig 3A) on a sheet comprising a top self-adhesive layer backed by a backing layer and wherein each computer printer printable self-adhesive label set is arranged on the top layer of self-adhesive label stock in proximity to at least one other computer printer printable self-adhesive label set. (Fig 1)

Block does not expressly disclose that the second label is with a printing consisting of a one-dimensional barcode. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels,



size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user.” (col 3: lines 33-36) Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a first one-dimensional barcode. One ordinary skill in the art would have recognized that such modification is well within the scope of Block’s disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose the orientation of the labels such that:

a sheet of a plurality of computer printer printable self-adhesive label sets for use with a computer postage system, each computer printer printable self-adhesive label set of the plurality of computer printer printable self-adhesive label sets comprising:

a first label arranged in a portrait orientation with respect to the sheet, the first label comprising a postage indicia label, wherein the postage indicia label is adapted to be printed with postage indicia according to postage indicia requirements in portrait orientation with respect to the sheet; and

a second label arranged in a landscape orientation with respect to the sheet and with respect to the first label, the second label comprising a first one-dimensional barcode label, wherein the first one-dimensional barcode label is adapted to be printed with a printing consisting of a one-dimensional barcode according to one-dimensional barcode requirements in landscape orientation with respect to the sheet.

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation within a specific area. (Fig 8e), [0084], [0089] Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 5:**

A sheet of a plurality of computer printer printable self-adhesive label sets for use with a computer postage system, the sheet comprising a sheet height and a sheet width, wherein the sheet height is greater than the sheet width, each computer printer printable self-adhesive label set arranged on a top self-adhesive layer of a sheet of self-adhesive label stock, each computer printer printable self-adhesive label set comprising:

Block discloses printing a first and second label with postage indicia and barcodes (fig 3A). Block does not expressly disclose that the second label is with a printing consisting of a one-dimensional barcode. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36)

Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a first one-dimensional barcode. One ordinary skill in the art would have recognized that such modification is well within the scope of Block's disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose the orientation of the labels such that:

a sheet of a plurality of computer printer printable self-adhesive label sets for use with a computer postage system, each self-adhesive label arrangement set arranged on a top self-adhesive layer of a sheet of self-adhesive label stock-comprising:

a first label comprising a postage indicia label, wherein the postage indicia label is adapted to be printed with postage indicia, the first label being adapted to be printed with postage indicia in portrait orientation with respect to the first label;

a second label comprising a barcode label, wherein the barcode label is adapted to be printed with a printing consisting of a one-dimensional barcode, the barcode label being arranged on the sheet in a landscape orientation with respect to the first label, the barcode label

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation on the same sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same

functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

Block does not expressly disclose that the first label comprising a first label height and a first label width, wherein the first label height is greater than the first label width, and a second label comprising a second label height and a second label width, wherein the second label width is greater than the second label height. However, Block does disclose that “the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user.” (col 3: lines 33-36) Therefore, given the drawings of Block, specifically Fig 3A and 3B it would have been obvious to one ordinarily skilled in the art for Block to adopt the dimensions as claimed, one ordinary skill in the art would have recognized that such modification is well within the scope of Block’s disclosure to maximize the convenience and utility to the end user by varying the size of each label.

**Referring to claim 6:**

Block does not expressly disclose the sheet of a plurality of computer printer printable self-adhesive label sets of Claim 5, wherein the first label of each computer printer printable self-adhesive label set is disposed in a portrait orientation with respect to a portrait orientation of the sheet so that the first label width is parallel to the sheet

width, and wherein the barcode label is disposed in a landscape orientation with respect to the first label so that the second label width is parallel to the sheet width.

Reid et al disclose printing on one sheet numerous pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately, and one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 13:**

a method for printing postage indicia and mailing tracking information onto a particular label arrangement set on a single sheet of self-adhesive labels, wherein the single sheet of self-adhesive labels comprises a plurality of label arrangement sets, and wherein each label arrangement set comprises a plurality of labels, the method comprising:

Block discloses printing a first and second label with postage indicia and barcodes (fig 3A), Block does not expressly disclose that the second label is with a printing consisting of a graphic symbology. However, Block does disclose that “additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user’s need” and “the present invention envisions the number of labels, size of each label and intended use of each label within each field to

be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36)

Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a graphic symbology. One ordinary skill in the art would have recognized that such modification is well within the scope of Block's disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose the orientation of the labels such that:

directing a computer postage system to print postage indicia according to a set of postage indicia requirements on a first oblong label of a particular label arrangement set in a portrait orientation with respect to the first oblong label and within a perimeter of the first oblong label, wherein the first oblong label of the particular label arrangement set is adapted to receive printing consisting of postage indicia; and

directing the computer postage system to print a first graphic symbology representing mail piece tracking information according to a set of graphic symbology requirements on a second oblong label of the particular label arrangement set in a landscape orientation with respect to the first oblong label and within a perimeter of the second oblong label.

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation with respect to each other on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have

performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 19:**

Block discloses printing a first and second label with postage indicia and barcodes (fig 3A), however, Block does not expressly disclose the orientation of the labels such that:

the method of claim 13, wherein the first oblong label is disposed on the single sheet in a portrait orientation with respect to a portrait orientation of the single sheet, wherein directing the computer postage system to print postage indicia on the first oblong label in a portrait orientation with respect to the first oblong label, comprises directing the computer postage system to print postage indicia on the first oblong label in the portrait orientation with respect to the single sheet, and wherein the second oblong label is disposed on the single sheet in a landscape orientation with respect to a landscape orientation of the single sheet, and wherein directing the computer postage system to print the graphic symbology on the second oblong label comprises directing the computer postage system to print the graphic symbology on the second oblong label in the landscape orientation with respect to the single sheet.

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one

having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation with respect to each other on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 20:**

Block discloses printing a first and second label with postage indicia and barcodes (fig 3A), however, Block does not expressly disclose the orientation of the labels such that:

the method of claim 13, wherein the first oblong label is disposed on the single sheet in a portrait orientation with respect to a landscape orientation of the single sheet, wherein directing the computer postage system to print postage indicia on the first oblong label in a portrait orientation with respect to the first oblong label, comprises directing the computer postage system to print postage indicia on the first oblong label in portrait orientation with respect to the first oblong label with respect to the landscape orientation of the single sheet, and wherein the second oblong label is disposed on the single sheet in a portrait orientation with respect to the single sheet, and wherein directing the computer postage system to print the graphic symbology on the second



oblong label comprises directing the computer postage system to print the graphic symbology on the second oblong label in a portrait orientation with respect to the single sheet.

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation with respect to each other on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 21:**

the method of claim 7, wherein directing the computer postage system to print postage indicia in a portrait orientation on a postage indicia label of the first self-adhesive label arrangement set comprises

Block discloses printing a postage indicia on a label and a one-dimensional barcode on a rectangular barcode label (Fig 3A), however, Block does not expressly disclose instructing the computer postage system to format postage indicia in a portrait orientation with respect to the single sheet for printing on a rectangular postage indicia

label that is disposed on the single sheet in a portrait orientation with respect to a portrait orientation of the single sheet, and

wherein directing the computer postage system to print a one-dimensional barcode on a rectangular barcode label of the first self-adhesive label arrangement set in landscape orientation comprises instructing the computer postage system to format the one-dimensional barcode in a landscape orientation with respect to the single sheet for printing on the rectangular barcode label that is disposed on the single sheet in a landscape orientation with respect to the landscape orientation of the single sheet

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation with respect to each other on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 31:**

The sheet of a plurality of computer printer printable self-adhesive label sets of Claim 5,

Block discloses instructing the computer postage system to print a first label and a second label (Fig 3A). Block does not expressly disclose that the label is disposed in a portrait orientation with respect to a landscape orientation of the sheet so that the first label width is parallel to the sheet height, and wherein the barcode label is disposed in a landscape orientation with respect to the first label so that the second label width is parallel to the sheet height.

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation with respect to each other on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

15. Claims 7, 22, 29, 30, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block in view of Reid et al in further view of Pickering Jr. et al.

**Referring to claim 7:**

A method for printing postage indicia and mail piece tracking information onto a single sheet of self-adhesive labels containing a plurality of self-adhesive label arrangement sets, the method comprising:

Block discloses labels comprising postage indicia, one-dimensional barcode representing a set of mailing identification information and a one-dimensional barcode representing a set of address information. (Fig 3A, 3B) Block does not expressly disclose that the first and second labels are with a printing consisting of a one-dimensional barcode. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36) Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a first one-dimensional barcode. One ordinary skill in the art would have recognized that such modification is well within the scope of Block's disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose three separate labels wherein the first label comprise a postage indicia, the second label comprises a one-dimensional barcode representing a set of mailing identification information and the third label comprises a second one-dimensional barcode representing a set of address information.

Pickering, Jr. et al disclose separate one-dimensional barcodes representing mailing identification information and address information. (Fig 1; col 1: lines 45-55)

Therefore, it would have been obvious at the time of the invention for Block dedicate to dedicate separate labels for postage indicia, a one-dimensional barcode representing a set of address information and a one-dimensional barcode representing a set of mailing identification information, Block provides specific motivation to do so by disclosing that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36)

Furthermore, it would have been obvious at the time of the invention for Block to combine the one-dimensional barcodes as disclosed by Pickering, Jr. et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. In the present combination Block would function the same by printing the required labels for the mailpieces and therefore one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Block does not expressly disclose the various landscape and portrait orientations of the labels

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation on one sheet as

disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 22:**

the method of claim 7, wherein directing the computer postage system to print postage indicia in a portrait orientation on a rectangular postage indicia label of the first self-adhesive label arrangement set comprises

Block discloses instructing the computer postage system to format postage indicia for printing on a rectangular postage indicia label (Fig 3A). Block does not expressly disclose that the label is disposed on the single sheet in a portrait orientation with respect to a landscape orientation of the single sheet.

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation with respect to each other on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing

in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 29:**

The sheet of computer printer printable self-adhesive label set of Claim 2, wherein:

Block discloses labels comprising postage indicia, one-dimensional barcode representing a set of mailing identification information and a one-dimensional barcode representing a set of address information. (Fig 3A, 3B) Block does not expressly disclose that the second and third labels are with a printing consisting of a one-dimensional barcode. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36) Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a first one-dimensional barcode. One ordinary skill in the art would have recognized that such modification is well within the scope of Block's disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose three separate labels wherein the first label comprise a postage indicia, the second label comprises a one-dimensional barcode

representing a set of mailing identification information and the third label comprises a second one-dimensional barcode representing a set of address information.

Pickering, Jr. et al disclose separate one-dimensional barcodes representing mailing identification information and address information. (Fig 1; col 1: lines 45-55)

Therefore, it would have been obvious at the time of the invention for Block to dedicate to dedicate separate labels for postage indicia, a one-dimensional barcode representing a set of address information and a one-dimensional barcode representing a set of mailing identification information, Block provides specific motivation to do so by disclosing that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36)

Furthermore, it would have been obvious at the time of the invention for Block to combine the one-dimensional barcodes as disclosed by Pickering, Jr. et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. In the present combination Block would function the same by printing the required labels for the mailpieces and therefore one of ordinary skill in the art would have recognized that the results of the combination were predictable

Block does not expressly disclose the various landscape and portrait orientations of the labels



Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 30:**

the sheet of a plurality of computer printer printable self-adhesive label sets for use with a computer postage system of Claim 4, each computer printer printable self-adhesive label set of the plurality of computer printer printable self-adhesive label sets further comprising:

Block discloses labels comprising postage indicia, one-dimensional barcode representing a set of mailing identification information and a one-dimensional barcode representing a set of address information. (Fig 3A, 3B) Block does not expressly disclose that the third label is with a printing consisting of a one-dimensional barcode. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the

present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user.” (col 3: lines 33-36) Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a first one-dimensional barcode. One ordinary skill in the art would have recognized that such modification is well within the scope of Block's disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose a third label comprises a second one-dimensional barcode representing a set of address information.

Pickering, Jr. et al disclose separate one-dimensional barcodes representing mailing identification information and address information. (Fig 1; col 1: lines 45-55)

Therefore, it would have been obvious at the time of the invention for Block dedicate to dedicate separate labels for postage indicia, a one-dimensional barcode representing a set of address information and a one-dimensional barcode representing a set of mailing identification information, Block provides specific motivation to do so by disclosing that “additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need” and “the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user.” (col 3: lines 33-36)

Furthermore, it would have been obvious at the time of the invention for Block to combine the one-dimensional barcodes as disclosed by Pickering, Jr. et al since the

claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. In the present combination Block would function the same by printing the required labels for the mailpieces and therefore one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**Referring to claim 32:**

The sheet of a plurality of computer printer printable self-adhesive label sets of Claim 31, each computer printer printable self-adhesive label set further comprising:

Block discloses labels comprising postage indicia, one-dimensional barcode representing a set of mailing identification information and a one-dimensional barcode representing a set of address information. (Fig 3A, 3B) Block does not expressly disclose that the third label is with a printing consisting of a one-dimensional barcode. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36) Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a first one-dimensional barcode. One ordinary skill in the art would have recognized that such modification is well within the scope of Block's disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose a third label comprises a second one-dimensional barcode representing a set of address information.

Pickering, Jr. et al disclose separate one-dimensional barcodes representing mailing identification information and address information. (Fig 1; col 1: lines 45-55)

Therefore, it would have been obvious at the time of the invention for Block dedicate to dedicate separate labels for postage indicia, a one-dimensional barcode representing a set of address information and a one-dimensional barcode representing a set of mailing identification information, Block provides specific motivation to do so by disclosing that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user." (col 3: lines 33-36)

Furthermore, it would have been obvious at the time of the invention for Block to combine the one-dimensional barcodes as disclosed by Pickering, Jr. et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. In the present combination Block would function the same by printing the required labels for the mailpieces and therefore one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Block does not expressly disclose the various landscape and portrait orientations of the labels

Reid et al disclose printing on one sheet pictures in both portrait and landscape orientation. (Fig 8e), [0084], [0089] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to combine the ability to print labels in both portrait and landscape orientation on one sheet as disclosed by Reid et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same functions as it did separately. In the present combination, printing in both landscape and portrait orientation does not effect the postage and barcode printing of Block since the printing are all conducted within a well defined specific area as disclosed by Reid et al. Therefore, one of ordinary skill in the art would have recognized that the result of the combination were predictable.

**Referring to claim 33:**

The method of Claim 13 for printing postage indicia and mailing tracking information onto a particular label arrangement set on a single sheet of self-adhesive labels, the method further comprising:

Block discloses labels comprising postage indicia, one-dimensional barcode representing a set of mailing identification information and a one-dimensional barcode representing a set of address information. (Fig 3A, 3B) Block does not expressly disclose that the third label is with a printing consisting of a graphic symbology. However, Block does disclose that "additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user's need" and "the present invention envisions the number of labels, size of each label and intended use of

each label within each field to be varied to maximize the convenience and utility to the end user.” (col 3: lines 33-36) Therefore, one having ordinary skill in the art would have recognized that it would have been obvious for Block to have individual labels consisting only of a graphic symbology. One ordinary skill in the art would have recognized that such modification is well within the scope of Block’s disclosure to maximize the convenience and utility to the end user.

Block does not expressly disclose printing a second graphic symbology representing delivery address information on a third oblong label of the particular label.

Pickering, Jr. et al disclose separate one-dimensional barcodes representing mailing identification information and address information. (Fig 1; col 1: lines 45-55)

Therefore, it would have been obvious at the time of the invention for Block dedicate to dedicate separate labels for postage indicia, a one-dimensional barcode representing a set of address information and a one-dimensional barcode representing a set of mailing identification information, Block provides specific motivation to do so by disclosing that “additional labels within each field to be associated with a single item to be mailed may be added to accommodate a user’s need” and “the present invention envisions the number of labels, size of each label and intended use of each label within each field to be varied to maximize the convenience and utility to the end user.” (col 3: lines 33-36)

Furthermore, it would have been obvious at the time of the invention for Block to combine the one-dimensional barcodes as disclosed by Pickering, Jr. et al since the claimed invention is merely a combination of old elements, and in the combination each

element merely would have performed the same function as it did separately. In the present combination Block would function the same by printing the required labels for the mailpieces and therefore one of ordinary skill in the art would have recognized that the results of the combination were predictable.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROB WU whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Application/Control Number: 10/731,992  
Art Unit: 3628

Page 31

/Rob Wu/  
Examiner, Art Unit 3628